

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DUSHAWN MARQUIS ROSS
and TAVONE DONALD RUFFIN, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
April 20, 2006

Petitioner-Appellee,

v

ROMUNDA WILLIAMS,

Respondent-Appellant.

No. 265277
Oakland Circuit Court
Family Division
LC No. 03-684203-NA

Before: Murphy, P.J., and O'Connell and Murray, JJ.

PER CURIAM.

Respondent appeals as of right from an order terminating her parental rights to her minor child Dushawn pursuant to MCL 712A.19b(3)(c)(i), (g), and (j) and to her minor child Tavone pursuant to MCL 712A.19b(3)(g) and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that statutory grounds for termination had been established by clear and convincing evidence. MCR 3.977(J); *In re Sours Minors*, 459 Mich 624, 633; 593 NW2d 520 (1999). The conditions that led to Dushawn being taken into temporary custody were that respondent disciplined her two older children by whipping them with an extension cord and showed no remorse for this method of discipline. She also had not enrolled Dushawn in school and did not provide him with adequate medical care. At the time of the termination trial, respondent had learned to utilize other methods of disciplining the children and was willing to utilize these methods. However, she did not visit Dushawn, who had been out of her care for almost two years and had significant special needs, on a consistent basis. Despite being informed about many of his medical appointments, she did not attend any of them although several were within a few miles of her home. Respondent did not cooperate consistently with any of the services that were provided to her. Although respondent did not have the children in her care for many months, she did not obtain her GED, did not obtain employment, did not modify her home to meet Dushawn's needs, and did not get her driver's license. The evidence was clear and convincing to show that many of the conditions that led to adjudication continued to exist at the time of the termination trial and were unlikely to be rectified within a reasonable time.

With regard to MCL 712A.19b(3)(g) and (j), respondent was unable to properly care for the minor children and there was a reasonable likelihood that they would be harmed if returned to her care. She did not do what she needed to do to get appropriate transportation or to modify her home so that Dushawn could return home. At the time of the termination trial, respondent did not even have a phone. She was unable to insure that the minor children attended school, and she often required the older children to take on her responsibilities like cleaning, cooking, and caring for Tavone, the infant. Although Tavone was only about eight months old at the time of the termination trial and had been in respondent's care briefly, the manner in which respondent treated and parented the older children is indicative of how she might treat Tavone, *In re Powers*, 208 Mich App 582, 588-593; 528 NW2d 799 (1995), and failure to complete the parent-agency agreement was generally indicative of neglectful parenting skills, *In re Trejo Minors*, 462 Mich 341, 346 n 3, 360-361 n 16; 612 NW2d 407 (2000).

The trial court also did not err when it found that the best interests of Dushawn and Tavone did not preclude termination of respondent's parental rights. *Id.* at 353-354. A psychologist testified that termination would not be detrimental to Dushawn and Tavone, and the trial court did not clearly err in accepting this testimony.

Affirmed.

/s/ William B. Murphy
/s/ Peter D. O'Connell
/s/ Christopher M. Murray